

**EXHIBIT B**

**07 C 6717**

**JUDGE COAR  
MAGISTRATE JUDGE ASHMAN**

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

MOTOWN RECORD COMPANY, L.P., a )  
California limited partnership; )  
INTERSCOPE RECORDS, a California )  
general partnership; VIRGIN RECORDS ) No.: 04 C 3019  
AMERICA, INC., a California corporation; )  
ATLANTIC RECORDING )  
CORPORATION, a Delaware corporation; )  
BMG MUSIC, a New York general )  
partnership; ELEKTRA )  
ENTERTAINMENT GROUP INC., a )  
Delaware corporation; WARNER BROS. )  
RECORDS INC., a Delaware corporation; )  
PRIORITY RECORDS LLC, a California )  
limited liability company; CAPITOL )  
RECORDS, INC., a Delaware corporation; )  
ARISTA RECORDS, INC., a Delaware )  
corporation; MAVERICK RECORDING )  
COMPANY, a California joint venture; )  
SONY MUSIC ENTERTAINMENT INC., )  
a Delaware corporation; LOUD )  
RECORDS, LLC, a Delaware corporation; )  
and UMG RECORDINGS, INC., a )  
Delaware corporation, )  
)  
Plaintiffs, )  
)  
vs. )  
)  
DOES 1 - 16, )  
)  
Defendants. )

**ORDER GRANTING PLAINTIFFS' *EX PARTE* MOTION FOR LEAVE TO TAKE  
IMMEDIATE DISCOVERY**

Upon the *Ex Parte* Motion of Plaintiffs for Leave to Take Immediate Discovery  
and the supporting Memorandum of Law, and the declaration of Jonathan Whitehead and the  
exhibit thereto, it is hereby:

ORDERED that Plaintiffs may serve immediate discovery on WideOpenWest Holdings LLC to obtain the identity of each Doe Defendant by serving a Rule 45 subpoena that seeks information sufficient to identify each Doe Defendant, including the name, address, telephone number, e-mail address, and Media Access Control addresses for each Defendant. The disclosure of this information is ordered pursuant to 47 U.S.C. § 551(c)(2)(B).

IT IS FURTHER ORDERED THAT any information disclosed to Plaintiffs in response to the Rule 45 subpoena may be used by Plaintiffs solely for the purpose of protecting Plaintiffs' rights under the Copyright Act.

IT IS FURTHER ORDERED THAT WideOpenWest shall preserve the data, records and information responsive to the subpoena that will be served by the Plaintiffs.

IT IS FURTHER ORDERED THAT if and when WideOpenWest is served with a subpoena, within five (5) business days thereof it shall notify each Doe Defendant (WideOpenWest subscribers) of the existence of this lawsuit and of receipt of Plaintiffs' subpoena whereby Plaintiffs are seeking to learn the subscribers' identities. After WideOpenWest gives such notice to the Doe Defendants, any Doe Defendant may raise an objection in the form of a motion to quash at the status conference which the Court has scheduled for June 15, 2004, 9:30 a.m. in Courtroom 1858, Dirksen Federal Building, 219 S. Dearborn, Chicago, Illinois 60604. WideOpenWest shall include in its notice to the Doe Defendants notice of this status conference.

IT IS FURTHER ORDERED THAT counsel for the Plaintiffs shall provide a copy of this Order to WideOpenWest when the subpoena is served.

Dated: 5/24/04

Nan R. Nolan  
United States Magistrate Judge Nan R. Nolan

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
LAFAYETTE DIVISION

ARISTA RECORDS, INC., a Delaware )  
corporation; ELEKTRA ENTERTAINMENT )  
GROUP INC., a Delaware corporation; )  
MOTOWN RECORD COMPANY, L.P., a )  
California limited partnership; SONY MUSIC )  
ENTERTAINMENT INC., a Delaware )  
corporation; UMG RECORDINGS, INC., a )  
Delaware corporation; and WARNER BROS. )  
RECORDS INC., a Delaware corporation, )

Plaintiffs, )

v. )

JOHN DOE, )

Defendant. )

Cause No.:

**4:04CV0036AS**

**ORDER GRANTING PLAINTIFFS' MOTION FOR LEAVE TO TAKE IMMEDIATE  
DISCOVERY**

This matter coming before the Court upon Plaintiffs' Motion for Leave to Take Immediate Discovery, and the Court being duly advised, hereby

ORDERS that Plaintiffs may serve immediate discovery on Northwest Indiana Internet Services, Inc. to obtain the identity of the Doe Defendant by serving a Rule 45 subpoena that seeks information sufficient to identify the Doe Defendant, including the name, address, telephone number, e-mail address, and Media Access Control addresses for the Defendant. The disclosure of this information is ordered pursuant to 47 U.S.C. § 551(c)(2)(B).

IT IS FURTHER ORDERED THAT any information disclosed to Plaintiffs in response to the Rule 45 subpoena may be used by Plaintiffs solely for the purpose of protecting Plaintiffs' rights under the Copyright Act.

Dated: 5/24/2004

s/Allen Sharp  
United States District Judge

Copies to:

James Dimos #11178-49  
Joel E. Tragesser #21414-29  
LOCKE REYNOLDS LLP  
201 North Illinois Street  
Suite 1000  
P.O. Box 44961  
Indianapolis, IN 46244-0961  
jdimos@locke.com  
jtragesser@locke.com

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

ENTERED

MAR 25 2004

U.S. CLERK'S OFFICE  
INDIANAPOLIS, INDIANA

INTERSCOPE RECORDS, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	CAUSE NO. 1:04-cv-0542 DFH-TAB
	)	
JOHN DOES 1 - 5,	)	
	)	
Defendants.	)	

ORDER AUTHORIZING IMMEDIATE DISCOVERY

In this action for copyright infringement, plaintiffs Interscope Records and several recording companies have moved for court permission to serve Rule 45 subpoenas to discover the identity of five defendants. Plaintiffs have alleged claims of direct copyright infringement by five defendants through use of "Peer to Peer" or "P2P" software over the internet. The defendants are identified by Internet Protocol ("IP") addresses and the dates and times of the alleged infringements. To learn the identities of the defendants, plaintiffs need information from the Internet Service Provider ("ISP") for the defendants. The ISP in this case is Indiana University. Plaintiffs assert that the ISP should be able to identify the five defendants easily using the available information.

SCANNED



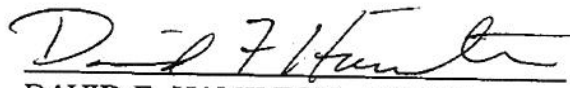
Plaintiffs seek an order authorizing immediate discovery because ISPs typically erase or overwrite data in a relatively short time period. In such circumstances, expedited discovery is needed to avoid the loss of information about the identities of the alleged infringers. The court finds that plaintiffs have shown good cause for launching discovery at this time, and there is no identified defendant with whom plaintiffs could conduct a discovery conference. Because it appears that the information plaintiffs seek may be subject to 47 U.S.C. § 551(c)(2), the court will order the subpoenaed ISP to notify its subscribers of the fact that the subpoena has been received so that the subscribers may have an opportunity to assert any rights they might have related to the discovery.

Accordingly, it is hereby ORDERED that plaintiffs may immediately serve discovery requests on Indiana University to obtain the identities of the John Doe defendants by serving a Rule 45 subpoena for information identifying each defendant, including name, address, telephone number, e-mail address, and Media Access Control addresses for each defendant. Within **seven calendar days** after receiving the subpoena, Indiana University shall notify the persons in question of the receipt of the subpoena pursuant to 47 U.S.C. § 551(c)(2), and Indiana University shall not respond to the subpoena **until at least fourteen calendar days** after it has notified the persons in question. Indiana University shall **immediately** take steps to preserve all subpoenaed information.

Plaintiffs may use any information disclosed to them in response to the Rule 45 subpoena solely for the purpose of asserting and protecting plaintiffs' rights under the Copyright Act.

So ordered.

Date: March 25, 2004



DAVID F. HAMILTON, JUDGE  
United States District Court  
Southern District of Indiana

Copies to:

James Dimos  
Joel E. Tragesser  
Locke Reynolds LLP  
201 North Illinois Street  
Suite 1000  
P.O. Box 44961  
Indianapolis, Indiana 46244-0961

[jdimos@locke.com](mailto:jdimos@locke.com)  
[jtragesser@locke.com](mailto:jtragesser@locke.com)



UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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LOUD RECORDS, LLC, a Delaware corporation;  
WARNER BROS. RECORDS INC., a Delaware corporation;  
VIRGIN RECORDS AMERICA, INC., a California  
corporation;  
BMG MUSIC, a New York general partnership;  
ARISTA RECORDS, INC., a Delaware corporation;  
ELEKTRA ENTERTAINMENT GROUP INC., a Delaware  
corporation;  
SONY MUSIC ENTERTAINMENT INC., a Delaware  
corporation;  
PRIORITY RECORDS LLC, a California limited liability  
company;  
UMG RECORDINGS, INC., a Delaware corporation;  
ATLANTIC RECORDING CORPORATION, a Delaware  
corporation; and  
CAPITOL RECORDS, INC., a Delaware corporation,

Plaintiffs,

v.

DOES 1 - 4,

Defendants.

Case No. 04-C-289

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**ORDER GRANTING PLAINTIFFS' MOTION FOR LEAVE  
TO TAKE IMMEDIATE DISCOVERY**

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Upon the Motion of Plaintiffs for Leave to Take Immediate Discovery and the supporting Memorandum of Law, and the declaration of Jonathan Whitehead and the exhibit thereto, it is hereby ORDERED that Plaintiffs may serve immediate discovery on Marquette University to obtain the identity of each Doe Defendant by serving a Rule 45 subpoena that

seeks information sufficient to identify each Doe Defendant, including the name, address, telephone number, e-mail address, and Media Access Control addresses for each Defendant.

IT IS FURTHER ORDERED THAT any information disclosed to Plaintiffs in response to the Rule 45 subpoena may be used by Plaintiffs solely for the purpose of protecting Plaintiffs' rights under the Copyright Act.

Dated at Milwaukee, Wisconsin, this 22nd day of April, 2004.

SO ORDERED,

s/Rudolph T. Randa  
HON. RUDOLPH T. RANDA  
Chief Judge

**PROPOSED ORDER**

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

WARNER BROS. RECORDS INC., a Delaware corporation; VIRGIN RECORDS AMERICA, INC., a California corporation; UMG RECORDINGS, INC., a Delaware corporation; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; PRIORITY RECORDS LLC, a California limited liability company; MOTOWN RECORD COMPANY, L.P., a California limited partnership; LAFACE RECORDS LLC, a Delaware limited liability company; LAVA RECORDS LLC, a Delaware limited liability company; INTERSCOPE RECORDS, a California general partnership; ELEKTRA ENTERTAINMENT GROUP INC., a Delaware corporation; CAPITOL RECORDS, INC., a Delaware corporation; CAROLINE RECORDS, INC., a New York corporation; BMG MUSIC, a New York general partnership; ATLANTIC RECORDING CORPORATION, a Delaware corporation; and ARISTA RECORDS LLC, a Delaware limited liability company,

Plaintiffs,

vs.

DOES 1 - 17,

Defendants.

**[PROPOSED] ORDER GRANTING PLAINTIFFS' *EX PARTE* APPLICATION FOR  
LEAVE TO TAKE IMMEDIATE DISCOVERY**

Upon the Plaintiffs' *Ex Parte* Application for Leave to Take Immediate Discovery, the Declaration of Carlos Linares, and the accompanying Memorandum of Law, it is hereby:

ORDERED that Plaintiffs may serve immediate discovery on Northern Illinois University to obtain the identity of each Doe Defendant by serving a Rule 45 subpoena that seeks documents that identify each Doe Defendant, including the name, current (and permanent)

addresses and telephone numbers, e-mail addresses, and Media Access Control addresses for each Defendant. The subpoena may also seek all documents and electronically-stored information relating to the assignment of any IP address which NIU cannot link to a specific Doe Defendant. The disclosure of this information is ordered pursuant to 20 U.S.C. § 1232g(b)(2)(B).

IT IS FURTHER ORDERED THAT any information disclosed to Plaintiffs in response to the Rule 45 subpoena may be used by Plaintiffs solely for the purpose of protecting Plaintiffs' rights under the Copyright Act.

DATED: \_\_\_\_\_

By: \_\_\_\_\_  
United States District Judge